

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 1 – GOVERNANCE
SCHOOL PROPERTY

PG-1.301

Sec. 1. IDEA PUBLIC SCHOOLS PROPERTY GENERALLY

The Board of IDEA Public Schools shall be the final authority for authorizing the use of Public Property. *19 TAC 100.1113(a)(1)(B), 100.1091(c)(4)*. IDEA shall not authorize use or application of public property inconsistent with this policy.

Sec. 2. PUBLIC PROPERTY DEFINED

An interest in real estate or personal property acquired, improved, or maintained using state funds that were received by IDEA on or after September 1, 2001 is public property for all purposes under state law. The date on which the property was acquired, improved, or maintained is not determinative. An interest in real estate acquired, improved, or maintained using state funds that were received by the charter holder before September 1, 2001, is public property only to the extent specified by 19 Texas Administrative Code § 100.1093 (relating to Property Acquired with State Funds Received Before September 1, 2001–Special Rules). Where the property is acquired with federal funds, federal law may preempt this policy and state law in whole or part. *19 TAC 100.1091(a)*.

Sec. 3. FIDUCIARY RESPONSIBILITIES

Public property is held by IDEA in trust for the benefit of IDEA’s students. With respect to the public property they manage, the Board and officers of IDEA and IDEA are trustees under Texas law and the students enrolled in IDEA are beneficiaries of a trust. Each trustee shall be held to the standard of care and fiduciary duties that a trustee owes the beneficiary of a trust under Texas law. *Education Code 12.128; 19 TAC 100.1091(b)*.

Public property may be used only for a purpose for which a school district may use school district property, implementing a program described in IDEA’s open-enrollment charter and only to implement a program that is described in the open-enrollment charter and is consistent with law and administrative rule. *Education Code 12.128; 19 TAC 100.1091(c)*.

Notwithstanding delegation of authority, the Board and officers of IDEA and IDEA shall remain fully responsible to authorize all uses and applications of public property and to enforce this policy.

The person or entity to which any power or duty is delegated shall be held to the same standards as the governing body with respect to use of property, funds or resources, and including as fiduciaries to the students enrolled in the charter school and must act in the best interest of the students, and may be held liable under TEC, §12.122, for breach of fiduciary duty, including misapplication of public funds. *19 TAC 100.1113(e)*.

Adopted: January 31, 2025

1 of 4

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 1 – GOVERNANCE
SCHOOL PROPERTY

PG-1.301

Sec. 4. PERSONAL USE OF PUBLIC PROPERTY

Except as provided below, IDEA employees shall use IDEA Public Schools public property only for purposes described in the IDEA Public Schools charter. *19 TAC 100.1091(c)(2)*.

IDEA employees may, however, use local telephone service, IDEA issued cellular phones, electronic mail, Internet connections, and similar property for incidental personal use, provided that such personal use does not, as determined by the IDEA administration, impede IDEA functions or result in direct cost(s) paid with state funds. Should employee use result in direct cost paid with state funds, IDEA shall require the employee incurring the cost(s) to reimburse IDEA Public Schools for such cost(s) within five business days of IDEAs having incurred the cost(s). *19 TAC 100.1091(c)(2)*.

Only incidental amounts of employee time, comparable to a five to seven-minute coffee break during each day, may be used by employees for such personal matters. *19 TAC 100.1091(c)(2)*.

This policy does not authorize incidental personal use of public property for private commercial purposes. Any such incidental use of public property is a privilege not a right, and the IDEA administration may remove or rescind such privilege from time to time on a case-by-case basis for any employee, or all employees. *19 TAC 100.1091(c)(2)*.

Sec. 5. USE OF PUBLIC PROPERTY REAL ESTATE FOR CHARTER AND NON-CHARTER ACTIVITIES

Joint use of IDEA's public real property for charter and non-charter activities shall be approved by separate vote and recorded in the minutes of the meeting of the Board of IDEA, setting forth the methodology to be used to allocate shared costs and the percentage allocation basis between charter and non-charter activities. *19 TAC 100.1091(c)(3)*.

Sec. 6. CONTRACT FOR USE OF PUBLIC PROPERTY

IDEA may contract for the use of its property for the purpose of providing goods or services under the contract, if such use is an express contract term, factored into the price of the contract, and the contract is one that is authorized by the Board. *19 TAC 100.1091(c)(6)*.

Sec. 7. ACCOUNTING FOR PUBLIC PROPERTY

IDEA's annual audit report shall separately disclose the cost basis and accumulated depreciation of public or privately held or owned property held, acquired, improved, or maintained by IDEAs operating Board and charter holder, or provide with the annual audit report a statement that all property acquired, improved, or maintained during the term of IDEAs charter, and all property presently held by the charter holder Board, is public property. *19 TAC 100.1091(f)*.

Adopted: January 31, 2025

2 of 4

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 1 – GOVERNANCE
SCHOOL PROPERTY

PG-1.301

Sec. 8. RETURN OF CHARTER SCHOOL PROPERTY

Upon separation of employment with IDEA or cessation of volunteer services, or upon the request of IDEA, an individual will return to IDEA all such materials, including copies thereof, in the individual’s possession or under the individual’s control. Such materials will be returned within 24 hours of notice of separation or upon request of IDEA whichever comes first.

The cost of repairing or replacing any supplies, materials, or equipment belonging to IDEA, or other property that is damaged (other than normal wear and tear), stolen, or lost by an employee or that is not returned to IDEA upon separation of employment may be deducted from the employee’s wages, so long as the deduction does not take the employee’s pay below minimum wage or, if the employee is a salaried employee, reduce the salary below its predetermined amount and so long as the employee has signed an appropriate wage deduction authorization form.

Any materials created by staff members for use by IDEA, or created on IDEAs time, or produced using the staff or resources of IDEA, are considered works-for-hire and all intellectual property rights are vested exclusively in IDEA Public Schools.

Sec. 9. DATE ADOPTED AND EFFECTIVE

As set forth in the pertinent minutes to the meeting of the Board, the Board adopted this policy on January 31, 2025, and it became effective on January 31, 2025.

Sec. 10. RETENTION

This policy shall be retained until superseded, expired, or discontinued and for five (5) years thereafter in accordance with state law.

Sec. 11. CERTIFICATION

The Undersigned, being the Secretary of the Board, hereby certifies that the foregoing represents a true copy of the Board Policy relating to School Property, as adopted on January 31, 2025, is in full force and effect and has not been revoked or amended.

Signed by:

Eduardo Rivera

8DD22C2786DB409...

Board Secretary

1/31/2025

Date Signed

Adopted: January 31, 2025

3 of 4

IDEA PUBLIC SCHOOLS BOARD POLICY MANUAL
POLICY GROUP 1 – GOVERNANCE
SCHOOL PROPERTY

PG-1.301

Adopted: January 31, 2025

4 of 4